



# **Why ‘Professionalizing’ International Election Observation Might Not be Enough to Ensure Effective Election Observation**

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## Abstract

International election observation (IEO) is increasingly criticized for not adding much to the credibility of elections. The criticism has focused on three main points: that IEO missions are partisan; that the information available to IEO missions is inaccurate or inconsistently analyzed; and that IEO missions are unable to detect and deter electoral irregularities. IEO organizations have been open and receptive to the criticism and have responded by increasingly professionalizing their missions. For this, the IEO organizations deserve recognition. However, it remains questionable whether professionalizing IEO is, in fact, enough to ensure effective election observation. First, while training might teach election observers how to act impartially, it will not ensure that election observers in fact act impartially when deployed. Second, any (realistic) extension or expansion of IEO missions will not enable them to collect accurate information. Third, in the same way, any (realistic) extension or expansion of IEO missions will not enable them to detect and deter electoral irregularities. This paper provides three options that IEO organizations could consider: to invest even more in domestic election observation; to harness the potential of modern technology; and to mobilize the power of perceptions. The three options should not be seen as alternatives but as potential low-cost complements to IEO missions. It should be noted that this is a discussion paper, not an academic paper, and aims to inspire discussion, not to present academic findings.

## Introduction

International election observation (IEO) is increasingly criticized for not adding much to the credibility of elections. Eric Bjornlund, in the first comparative study undertaken of IEO, concluded that 'election monitoring programs can be dangerously superficial, which sometimes leads the international community to accept the legitimacy of highly flawed processes and hinders the search for enforceable, universal standards' (Bjornlund 2004: 305). Susan D. Hyde, in two groundbreaking natural experiments, concludes that 'even for the best-intentioned observers, evaluating election quality remains a serious challenge, particularly when pseudo-democrats work to manipulate elections subtly, without attracting observer criticism' (Hyde 2011: 162). Finally, Judith Kelley, in a recent study of IEO, the most comprehensive to date, concludes that 'international monitors can only improve elections under certain conditions, and in many situations even repeated efforts in a country are futile. 'Furthermore', she continues, 'and this is the biggest problem: international organizations, whether intergovernmental or nongovernmental, have political entanglements, practical constraints, and normative concerns that compromise not only their effectiveness, but more importantly, also their long-assumed neutrality' (Kelley, forthcoming: 178).

## The Criticism

The criticism has focused on three main points: that IEO missions are partisan; that the information available to IEO missions is inaccurate or inconsistently analyzed; and that IEO missions are unable to detect and deter electoral irregularities.

## Partisanship

The first point of criticism raised against IEO has been that IEO missions are partisan. The point is not new. Already in 1991, in one of the first articles published on IEO, Karen J. Jason argued that 'neither the objectivity nor the independence of [IEO] organizations ought to be assumed; they, too, have an agenda' (Jason 1991: 1796). Jason was particularly critical of intergovernmental organizations involved in IEO. Because of their dependency on host governments and obligations to member states, she argued, intergovernmental organizations are unable to assess elections critically and objectively.

Several country case studies of IEO have since confirmed Jason's argument. Darren Kew, for example, in a study of the 1999 elections in Nigeria, argues that most IEO missions 'had generally decided beforehand that they were willing to accept, and indeed preferred an Obasanjo outcome to the Abubakar transition' (Kew 1999: 33). In another study on Nigeria, Cyril I. Obi concludes that 'although most election observer missions are driven by a desire to promote free and fair elections as the driver of democracy in Africa, in reality they must contend with powerful national, political and diplomatic vested interests'. Therefore, he argues, their assessments 'are subordinated to the hegemonic, strategic and economic calculations of the dominant political elites and post-Cold War powers rather expediently' (Obi 2008: 82). Lisa Laakso, in her study of the 2000 elections in Zimbabwe, argues that 'international election observers are deeply engaged in a political exercise notwithstanding their guidelines, which present election observation as a neutral and technical exercise' (Laakso 2002: 459). Outside Africa, Rick Fawn, in a series of studies of elections in post-Soviet countries, suggests that some IEO missions might have been impartial but that others were definitely not. Impartial and critical assessments, he argues, were hidden 'behind those of less tried, even questionable, observer missions, ones drawn from regimes with similar undemocratic practice' (Fawn 2006: 1152). Similarly, Bjornlund, in his study of the 1998 elections in Cambodia, argues that the IEO missions were 'split on how to assess the [...] elections in part because they saw their own roles differently and had different interests and motivations' (Bjornlund 2004: 306).

Kelley, in a study already referred to, demonstrates systematic partisanship in IEO missions. She finds that IEO missions are more likely to endorse elections in countries that receive development aid if there has been improvement from previous elections, or if pre-election violence has been observed; that intergovernmental IEO organizations are more likely to endorse elections than international nongovernmental IEO organizations; and that intergovernmental IEO organizations with less democratic member states are more likely to endorse elections than intergovernmental IEO organizations whose member states are more democratic (Kelley 2009: 783).

## Inaccuracy

The second point of criticism raised against IEO has been that the information available to IEO missions is inaccurate or inconsistently analyzed. Again, the point is not new. Already in 1993, in what was possibly the first article published on IEO in Africa, Gisela Geisler argued that 'international observation exercises remain so superficial that conclusions are either too vague or empirically untenable' (Geisler 1993: 634). Geisler also suggested that not all inaccurate assessments were 'accidental weaknesses which require minor remedial



treatment' but that some were 'manifestations of a structural phenomenon' (Geisler 1993: 634).

A number of studies have since added credence to Geisler's argument. Neil Nevitte, in a comparison between IEO and domestic election observation, argues that 'domestic observers have many more data points for analysis than do international observers, who confront the challenge of working with larger margins of error' (Nevitte 1997: 60). Paul J. Kaiser, in a study of the 1995 elections in Zanzibar, quotes the Africa Confidential and argues that voters in Tanzania 'felt it ridiculous that some monitors were making assessments of the poll without being present at the count, where most of the abuses are claimed to have taken place' (Kaiser 1999: 42). Bjornlund, in the study already referred to, argues that 'some observers base conclusions on startlingly cursory fact-finding efforts, as observers offer public assessments even before ballots are counted based on the personal observations of a few outsiders who make brief visits to a handful of polling places' (Bjornlund 2004: 305).

An important element of this criticism has been that IEO missions are too focused on the election day. Oda van Cranenburgh, for example, argues that 'international observation is heavily focused on procedures on polling day', although 'it is precisely in the preparation of elections that many opportunities for irregularities and abuse occur' (van Cranenburgh 2000: 29). Amanda Sives, in a review of the Commonwealth's experiences with IEO, argues that 'a longer-term presence [is] necessary to ensure that all aspects of the process are taken into account' (Sives 2001: 516). A long-term presence, she argues, 'adds credibility to the findings [of an IEO mission]' (Sives 2001: 516).

Again, Kelley's comprehensive quantitative study measures the inaccuracy of the information available to IEO missions and the inconsistencies in how IEO missions analyze this information. By comparing the information available to IEO missions with IEO mission assessments, and by comparing IEO mission assessments with other assessments of elections, Kelley estimates that IEO mission assessments are inaccurate 10 per cent of the time (Kelley 2009: 783). This estimate, she points out, is very conservative and could be significantly higher.

## **Inability**

The third, and final, point of criticism raised against IEO has been that IEO missions are unable to detect and deter electoral irregularities. Thomas Carothers was possibly the first to suggest this. In 1997, when optimism about IEO was at its highest, he argued that 'the numerous teams of inexperienced observers who stay for only a short time around election day are unlikely to see beyond the obvious' and that 'government officials planning elections in transition countries often overestimate the ability of foreign observers to detect fraud' (Carothers 1997: 19-20).

Several studies have since explored Carothers's suggestion further. Bjornlund argues that 'unfortunately, many international observers still put undue emphasis on election administration on election day' and this 'allows autocratic regimes to manipulate other parts of the process' (Bjornlund 2004: 305-06). Hyde, in a natural experiment in Indonesia, argues that 'the presence of observers had a measurable effect on votes cast for the incumbent candidate' (Hyde 2007b: 511). However, contrary to intuitive reasoning, she finds that the incumbent candidate received more, not fewer, votes in polling stations

visited by international election observers. On this basis, Hyde concludes that IEO can affect elections but that the causality is more complex than generally assumed.

A number of studies have even suggested that IEO missions simply encourage shifts from observable to non-observable types of electoral irregularities. Hyde's study in Indonesia suggests that IEO 'may also provide the incentive for electoral autocrats to use methods of cheating that are less likely to be detected by international observers, such as manipulating the election in advance of election day' (Hyde 2007a: 63). Emily Beaulieu and Hyde, in a comparative study of all elections between 1990 and 2002, argue that IEO 'has triggered the use of strategic manipulation, giving incumbents the incentive to select forms of electoral manipulation that observers are less likely to catch' (Beaulieu 2009: 410). Also, they argue, 'opposition parties are more likely to boycott [elections] when international observers are present' because the use of strategic manipulations makes it attractive for them to invest their scarce resources in exposing the strategic manipulations and discrediting the government, rather than contesting the elections (Beaulieu 2009: 410). Alberto Simpser, in a study of such 'unintended consequences' of IEO, argues that 'those forms of electoral manipulation that are less amenable to detection and redress through monitoring can also cause important damage to political, legal, and governmental institutions and to media independence' (Simpser 2008: 216).

## IEO Response to Criticism

The IEO organizations have been open and receptive to this criticism and have responded by increasingly professionalizing their missions.

At the policy level, the term 'professionalization' now figures prominently in IEO documents. For example, in the OAS report 'Best Practices in OAS Electoral Observation, 2004-2007', the terms 'professional', 'professionalize', and 'professionalization' appear 15 times in the central chapter, while the concluding chapter states that 'electoral observation practices need to be consolidated, observation techniques need to be systematized, and standardized follow-up and assessment criteria for observed electoral processes need to be used, in order to reinforce the objectivity and rigor of the activity and to observe the highest standards of professionalism' (Organization of American States 2008: 27-38). Similarly, the report 'Methods for Election Observation: A Manual for OAS Electoral Observation Missions' states that it seeks to 'contribute to the professionalization and standardization of electoral observation and the credibility of the work on election observation that the OAS carries out' (Organization of American States 2007: 26).

At implementation level, several important steps have been taken towards professionalizing IEO missions. These include extending and expanding IEO missions; introducing new methodologies; and training international election observers before deployment.

## Extension and Expansion of Missions

First, IEO organizations have extended and expanded their missions. In the early days of IEO, IEO missions consisted of the deployment of a few election observers around election day. These election observers often had little knowledge either of election observation



or of the country in which they were observing, and they had not been trained before deployment. Consequently, IEO missions were unable to observe the electoral process before and after election day and rarely made it outside the capital and major cities on election day.

Today, IEO missions include election assessment missions deployed several months before election day to assess the political environment and to negotiate the terms of a possible IEO mission with the host government; long-term observers deployed in the months leading up to election day to observe the voter and candidate registration, assess electoral laws, and observe the election campaign; short-term observers deployed in large numbers on and around election day to observe the last days of the election campaign, observe the voting, and observe the counting and tabulation; and a core team that remains in the country after election day to observe the validation of the electoral results, the processing of electoral complaints and the inauguration of newly elected bodies (Carothers 1997; Hyde 2008). IEO missions today last for several months and may include more than 100 election observers. Some IEO organizations even establish semi-permanent observation missions in countries with particularly sensitive elections. The Carter Center, for example, established a semi-permanent mission in Nepal following the 2008 constituent assembly elections. Even if the Carter Center now refers to its mission in Nepal as a peace observation mission, the mission appears to be the longest election observation mission in the history of IEO.<sup>1</sup> It was deployed in 2007 and continues until today.

## Introduction of New Methodologies

Second, IEO organizations have introduced new methodologies. For example, many IEO missions today carry out two-way audits of the voter registry. Such audits can help IEO missions detect 'ghost voters', identify individuals who are registered but not aware they are registered, validate the registration of voters who had difficulties registering, and estimate the proportion of the population that has registered. First, a simple random sample is collected from the voter registry and the information is checked through face-to-face interviews (list-to-voters comparison). Second, a simple random sample is collected through face-to-face interviews from among all eligible voters and checked against the voter registry (voters-to-list comparison).

There are examples of elections where two-way audits have been used to detect electoral irregularities in the voter registration process and the voter registry. For example, an audit carried out prior to the 2004 general elections in Malaysia found several inaccuracies in the voter registry, including one case where 142 voters were registered with the same address (a wooden shack selling knick-knacks), and another case where 156 voters were registered with a nonexistent 'ghost' address (Szu-Mae 2004). Two-way audits, however, are expensive and time-consuming, and therefore carried out almost exclusively by large IEO missions.

Similarly, some IEO missions today carry out parallel vote tabulations (PVT). PVTs can help IEO missions validate the tabulation of electoral results and the electoral results

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<sup>1</sup> The objective of the Carter Center mission to Nepal is 'to monitor the post-election peace and constitution drafting processes and to provide impartial information on progress and in these areas to political and civil society leaders throughout the country', Carter Center, 'Waging Peace: Nepal', <<http://www.cartercenter.org/countries/nepal-peace.html>>, accessed 24 October 2011.

themselves. A simple random sample of electoral results is collected from polling stations or counting centers, depending on the electoral administration procedures, and is used to estimate the electoral results. Like the two-way audits, PVTs are potentially effective but expensive and time-consuming, and therefore carried out only by large IEO missions. In addition, PVTs require that the electoral results be publicized at the level of polling stations or counting centers, which is not always the case.

There are several examples of elections where PVTs have been used to detect electoral irregularities or to facilitate the transfer of power from an incumbent president to a rightfully elected opposition candidate. One such example is the 1991 presidential elections in Zambia, where the Carter Center and NDI pioneered the use of PVTs in IEO. The incumbent president, Kenneth Kaunda, was convinced he would win the election and had allowed the PVT. He encouraged all Zambians 'to assist the observer groups in every way possible to enable them to carry out their tasks in the best way they know how' (Bjornlund 2004: 87). However, on the night of the election, the PVT suggested that the opposition candidate, Frederick Chiluba, was heading for a landslide victory. Fearing that Kaunda would not accept the result, the head of the joint Carter Center and NDI mission, former US president Jimmy Carter, requested a meeting with the incumbent president on the morning after the election. During the meeting, Carter convinced Kaunda to accept the electoral result and transfer power to Chiluba. The result of the PVT was never revealed and therefore was not used to dispute the official electoral results. However, it allowed Carter to respond quickly and possibly prevent an electoral crisis (Bjornlund 2004: 88). Other examples of elections, where PVTs have been used to detect electoral irregularities or to facilitate the transfer of power from an incumbent president to a rightfully elected opposition candidate, include the 1986 elections in the Philippines, the 1988 elections in Chile, the 1989 elections in Panama, the 1990 elections in Nicaragua, the 2000 elections in Serbia, and the 2003 elections in Georgia (Bjornlund 2004; Garber 1993; Hyde 2008).

## **Training of Election Observers**

Third, IEO organizations have started to train their election observers. Most IEO organizations today select their election observers from a roster of experts. Many IEO organizations require that the election observers complete one or more trainings before they are added to the roster. Nearly all IEO organizations organize briefings of their election observers after they arrive in country but before they are deployed to their area of observation. Such briefings often also include workshops, where the election observers are taken through the voting process.

One concrete example of how IEO organizations train their election observers is the Network for Enhanced Electoral and Democratic Support (NEEDS) project. Funded by the European Commission and jointly implemented by International IDEA, the International Organization for Migration (IOM), the Electoral Institute for Sustainability of Democracy in Africa (EISA), the Center for Electoral Promotion and Assistance (CAPEL), and Internews Europe, the NEEDS project seeks to 'contribute to the consolidation of a consistent methodology for EU [election observation missions] in line with international and regional standards of democratic elections (including links with electoral assistance)'; 'improve EU observers' capabilities, through development of a common EU approach in recruitment and training of observers'; and 'contribute to the democratic process in third



countries, through targeted support provided to domestic observer groups and other relevant civil society organizations through regional partners'.<sup>2</sup>

Another concrete example is the Building Resources in Democracy, Governance, and Elections (BRIDGE) project. Jointly implemented by International IDEA, IFES, UNDP, UNEAD, and the Australian Electoral Commission, the BRIDGE project is a professional development and training programme that seeks to 'promote internationally accepted principles of democracy and good electoral practice; enhance the skills and confidence of stakeholders in the electoral process; increase the awareness of tools and resources available for the building and maintaining of a sustainable electoral culture; develop a support network for stakeholders in electoral processes and encourage a culture of sharing information and experiences'.<sup>3</sup> The BRIDGE project does not train election observers specifically but by training democracy support specialists it has indirectly contributed to professionalizing IEO.

## The Right Response?

By professionalizing their missions, IEO organizations have responded to the criticism in ways recommended by most of the critics themselves. Of the studies referred to above, nearly all conclude that IEO missions must be longer and include more election observers; that IEO missions must adopt more comprehensive and standardized methodologies; and that election observers must be better equipped, both professionally and personally, to perform their functions. Jason, for example, argues that 'if the goal of election observing is to promote open electoral systems in which all eligible members of society are encouraged to take part free of fear or intimidation, then having more observers is critical' (Jason 1991: 1797). Bjornlund suggests that international election observers must 'develop effective deterrents' where 'rulers willing to cheat have learned to focus on other parts of the [electoral] process' (Bjornlund 2004: 82). Also, Bjornlund argues that IEO organizations should 'encourage a broader focus and more comprehensive methodology, which might reduce the tendency of election day observers and the media to draw unduly positive conclusions'; 'determine the size, composition, and time frame of their own monitoring teams' and 'have access to all parts of the process and at all levels of the election administration'; 'avoid duplication and mitigate the adverse effect of competition among' IEO organizations, for example by placing 'a greater emphasis on long-term monitoring and support for domestic observers'; 'continue to seek a more effective, consistent methodology for observers'; 'continue efforts to increase the professionalism of election-monitoring efforts'; and 'continue to shore up the international consensus on universal democratic principles and on the importance of democracy promotion' (Bjornlund 2004: 306-07). Beaulieu and Hyde argue that 'as international election observation continues to improve, the gap between actual manipulation and the manipulation that observers will catch and sanction should shrink', but that this 'will require continued improvement in international observation' (Beaulieu 2009: 410). Jonathan Hartlyn and Jennifer McCoy recommend that IEO organizations 'continue development of new methodologies and techniques', 'coordinate with political actors', 'resist

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<sup>2</sup> NEEDS project website, <http://www.needsproject.eu/#>, accessed on 19 October 2011

<sup>3</sup> BRIDGE project website, <http://bridge-project.org>, accessed on 26 October 2011

complacency when there is a wide margin of victory [and] document the problems', 'push for extra safeguards when levels of distrust are high', 'continually assess party strategic calculations and interests', and 'be transparent about their interests, competing priorities, or role in providing technical assistance or funding to the election authorities' (Hartlyn 2006: 53-54). Finally, Kelley, in a conference paper prepared for the Inter-Regional Workshop on Regional Organizations and the Integrity of Elections, recommends IEO organizations to be open about their biases and conflicts of interest; to take responsibility for their assessments; to set higher preconditions for accepting invitations to observe elections; to promote inclusive electoral systems; to keep a low profile during violent elections; to ensure consistency in the assessments made and to follow up on previous assessments; to avoid making public statements before the election result has been announced; and to publish the final mission report in a timely manner (Kelley 2011: 9-18).

The way in which IEO organizations have responded to the criticism deserves recognition. They have been open and receptive to the criticism of others, have often been their own strongest critics, have engaged in discussions on how to address the criticism, both with each other and with the critics themselves, and, as has been mentioned, have taken several important steps towards professionalizing IEO missions.

In addition to the steps already mentioned, the Declaration of Principles for International Election Observation (hereafter referred to as 'the Declaration') and the Code of Conduct for International Election Observers (hereafter referred to as 'the Code of Conduct') deserve special mentioning (United Nations 2005b, 2005a). The Declaration and the Code of Conduct were endorsed on 27 October 2005 by 22 intergovernmental and international nongovernmental organizations involved in IEO, including the AU, EU, OAS, PIF and International IDEA. An additional 16 organizations have since endorsed the Declaration and the Code of Conduct, bringing the total number of endorsing organizations up to 36.<sup>4</sup> Promoted by political heavyweights such as former UN Secretary General Kofi Annan, former US President Jimmy Carter and former US Secretary of State Madeleine Albright, the Declaration and the Code of Conduct have become the reference point for all cooperation on IEO (Carter Center 2011b: 1). An important aspect of this cooperation has been professionalization. Although the Declaration and the Code of Conduct do not explicitly

<sup>4</sup> The organizations that have endorsed the Declaration are the following (as of October 2011): African Union (AU); Asia Network for Free Elections (ANFREL); Association of Central and Eastern European Election Officials (ACEEEO); Canadian Association of Former Parliamentarians (CAFP); Carter Center; Center for Electoral Promotion and Assistance (CAPEL); Commonwealth Secretariat; The Congress of Local and Regional Authorities of Europe; Council of Europe, Venice Commission; Council of Europe, Parliamentary Assembly; Democracy International; Democracy Reporting International; Economic Community of West African States (ECOWAS); Electoral Institute for the Sustainability of Democracy in Africa (EISA); Electoral Reform International Services (ERIS); European Commission; European Network of Election Monitoring Organizations (ENEMO); European Parliament; European Parliament Former Members Association (EPFMA); La Francophonie; International Election Monitors Institute (IEMI); International Expert Center for Electoral Systems (ICES); International Foundation for Electoral Systems (IFES); International Institute for Democracy and Electoral Assistance (IDEA); International Republican Institute (IRI); Inter-Parliamentary Union (IPU); National Democratic Institute (NDI); Network for Enhanced Electoral and Democratic Support (NEEDS); Organization of American States (OAS); Organization for Security and Cooperation in Europe, Office of Democratic Institutions and Human Rights (OSCE/ODIHR); Pacific Islands, Australia, and New Zealand Electoral Administrators' Association (PIANZEA); Pacific Island Forum (PIF); Southern Africa Development Community (SADC), Parliamentary Forum; Sustainable Development Group International; United Nations (UN) Secretariat; and United States Association of Former Members of Congress (USAFMC)



use the term, the notion of professionalization is implicit throughout. The Declaration thus defines IEO as 'the systematic, comprehensive and accurate gathering of information concerning the laws, processes and institutions related to the conduct of elections and other factors concerning the overall electoral environment; the impartial and professional analysis of such information', while the Code of Conduct commits international election observers to, among other things, 'maintain Accuracy of Observations and Professionalism in Drawing Conclusions', and to 'observe the highest level of professional conduct at all times, including leisure time' (United Nations 2005b: 2-3; 2005a: 2). Although little has been done to implement the Declaration and the Code of Conduct, apart from the annual meetings of the endorsing organizations, they have potential.

However, it remains questionable whether the steps are sufficient and, at a more general level, whether professionalizing IEO will, in fact, be enough to ensure effective election observation.

### **Impartiality?**

First, the question remains of whether training election observers will be enough to ensure that IEO missions are impartial. While training might teach election observers how to act impartially, it will not ensure that they actually do so when deployed. The problem is well known in other areas of development aid and democracy support. Over the last ten years, much development aid and democracy support has focused on capacity development. The assumption has been that capacity gaps were what caused underdevelopment in many countries, and that by filling these gaps countries would be set on a path of development and prosperity. However, the ten years that have passed have clearly demonstrated that it is not enough to develop capacities if the incentive structures do not encourage the use of such capacities. For example, it is not enough to teach parliamentarians how to be good parliamentarians if the incentive structures do not reward good parliamentarians. Similarly, it is not enough to teach civil servants how to be good civil servants if the incentive structures do not reward good civil servants. Along the same lines, it could be argued that it is not enough to teach election observers how to be good (impartial) election observers if the incentive structures do not reward good (impartial) election observers. The incentive structures of most organizations reward compliance over creativity, independence and critical thinking. Thus, if the leadership of an IEO organization is slightly partisan, even if indirectly, it is likely that unintentionally the organization will reward a similar partisanship among its election observers, who are probably eager to get selected for future IEO missions.

Similarly, even if election observers act impartially, this matters little if their assessments are not treated in an impartial manner. Sara Rich Dorman points to this in her study of IEO in Zimbabwe. She argues that 'the real scandal of election monitoring in Africa [...] is not the inconsistency between competing reports on the Zimbabwe elections, but the inconsistency between the attention paid to observers' reports in Zimbabwe, when compared with other countries' (Dorman 2005: 170). When IEO missions condemned the 2000 and 2002 elections in Zimbabwe, the EU imposed sanctions on Zimbabwe, and the Commonwealth suspended Zimbabwe's membership of the organization on the basis of human rights violations. When IEO missions condemned the 2001 elections in Zambia, the EU and the Commonwealth did nothing. As Jonathan Steele stated in the Guardian,

'it was a disgraceful election which European Union observers and local monitors severely censured. The media were controlled. Criticizing the president risked criminal charges. The police regularly moved in to prevent opposition candidates campaigning and the vote-count was marked by irregularities. This sorry spectacle happened three weeks ago in a former British colony in southern Africa. Statements of indignation from Jack Straw? Not a murmur. Furious coverage in Fleet Street? A few column inches on inside pages. Talk of 'smart' sanctions to punish the men who stole the election? You must be joking' (Steele 2002).

## Accuracy?

Second, it remains questionable whether any (realistic) extension or expansion of IEO missions will enable observers to collect accurate information. IEO is based on the logic of random sampling and inferential statistics. IEO missions deploy teams randomly. The teams typically consist of two observers plus support personnel (a driver and an interpreter). The teams are instructed to visit as many polling stations as possible. For each polling station the teams visit, they complete a standardized questionnaire. This questionnaire includes information on the electoral environment, the administrative conduct of the election, the estimated number of voters, the presence of political party agents etc. Depending on the spread of the polling stations, each IEO team visits 5-15 polling stations on election day. When completed by the IEO teams, the questionnaires are submitted to the IEO mission office, sometimes electronically at the end of the day, sometimes physically at the end of the deployment period. In the IEO mission office, the questionnaires are entered into a large database. This is the database upon which IEO missions base part of their assessments.

In theory, the data available to IEO missions is fairly accurate. Large IEO missions, such as EU missions, typically deploy around 100 election observers on an election day, meaning 50 IEO teams. Assuming that each team visits an average of ten polling stations, large IEO missions collect a sample of 500 polling stations on election day. If electoral irregularities are observed in 10 per cent of the polling stations visited by IEO teams, a large IEO mission can be 95 per cent sure that electoral irregularities took place in 7-13 per cent of all polling stations on election day.<sup>5</sup>

In practice, however, the data available to IEO missions is less accurate. IEO teams are not deployed randomly and the sample of polling stations is therefore not a random sample, making population inferences problematic. When deploying their teams, IEO missions consider other factors, such as security (they want their teams to be safe), logistics (they

<sup>5</sup> The standard error (SE) is given by:

$$SE = \sqrt{\frac{\pi(1-\pi)}{n}}$$

where  $\pi$  denotes the proportion of polling stations, where irregularities are observed;  $1-\pi$  the proportion of polling stations, where no irregularities are observed; and  $n$  the sample size. The confidence interval (CI) is given by:

$$CI = \pi \pm SE * 1.96$$



typically need to deploy their teams in 1-2 days), and resources (they do not have helicopters available for all teams). Consequently, there are areas, where IEO teams are rarely deployed, particularly in conflict-affected countries, such as Iraq and Afghanistan, or countries with poor infrastructure, such as Nepal or the Democratic Republic of Congo. Unfortunately, these are often also the countries with difficult elections (insecurity and poor infrastructure affects elections as much as it affects IEO) and therefore the countries to which IEO missions are deployed. Several critics have pointed to this problem. Getachew Haile, for example, argues that the 2005 parliamentary elections in Ethiopia 'took place in the absence of enough observers. Indeed, the European Union and the U.S., through the Carter Center, had fielded about 300 observers. This number is insignificant, given the rugged nature of the country where 80 percent of the voters live' (Haile 2005: 1-2).

Furthermore, although IEO teams visit 5-15 polling stations on an election day, they usually only observe the opening and closing in one polling station. The opening and closing of polling stations are when most election day irregularities take place (ballot stuffing, ballot box capture, miscounting etc.). Anyone who has ever witnessed the tense atmosphere around the opening or closing of polling stations on election day would agree. Even large IEO missions thus collect only 50 samples of the opening and 50 samples of the closing of polling stations. If electoral irregularities are observed in 10 per cent of the polling stations visited by IEO teams during opening, large IEO missions can be 95 per cent sure that electoral irregularities took place in 2-18 per cent of all polling stations during opening. In practice, even large IEO missions do not therefore have accurate information upon which to base an assessment of whether the electoral irregularities observed during the opening or closing of polling stations were unintentional or systematic.

## Ability?

Third, and finally, it remains questionable whether any (realistic) extension or expansion of IEO missions will enable them to detect and deter electoral irregularities. In theory, IEO missions have the potential to detect and deter electoral irregularities. With IEO teams visiting 1-10 per cent of all polling stations, there should be a 1-10 per cent probability that electoral irregularities are detected. The possible consequences of electoral irregularities being detected are significant. The EU, for example, can suspend development aid to a partner country under Article 96 of the Cotonou Agreement if the country 'has failed to fulfill an obligation stemming from respect for human rights, democratic principles and the rule of law' (European Commission 2000). As the case of Togo demonstrates, such obligations include credible elections. Similarly, the AU can theoretically suspend the membership of a member state under Article 30 of the AU Constitutive Act if the government of that member state comes to power through unconstitutional means (African Union 2002). Although there are no cases to demonstrate this, it must be assumed that unconstitutional means include fraudulent elections. Considering such possible consequences, the presence of IEO missions should be a strong disincentive for incumbents to commit electoral fraud.

In practice, however, it appears unlikely that IEO missions detect and deter electoral irregularities. At the theoretical level, it remains unclear how IEO missions distinguish intentional electoral irregularities (fraud) from unintentional electoral irregularities (mistakes). Hyde provides a long list of electoral irregularities and demonstrates that it can be difficult for IEO missions to distinguish intentional from unintentional electoral

irregularities (Hyde 2008: 205). For example, is it intentional or unintentional if there are requirements for candidate registration, such as the support of a political party, financial guarantees, or a certain number of signatories? Is it intentional or unintentional if one candidate receives more media coverage than another, if there is not enough funding for elections, if the electoral officials have not received enough training, if polling stations fail to open on time, if electoral material is missing, if there are problems with the indelible ink, if there is no established procedure for electoral complaints, or if electoral complaints are processed slowly? Sarah Birch makes a similar point. She argues that 'it is difficult for international observers to label the manipulation of rules corrupt or fraudulent; leaders that employ this strategy as their principal form of manipulation can therefore expect to be spared condemnation on the grounds that their elections were stolen' (Birch 2008: 18-19).

Similarly, at the empirical level, recent research has demonstrated that the effects of IEO on electoral irregularities are far from as direct and straightforward as generally assumed. For example, Nahomi Ichino and Matthias Schundeln, in a natural experiment in Ghana, found that voter registration was lower in voter registration centers where election observers were present than in centers where no election observers were present, suggesting that election observation deters electoral irregularities during voter registration. However, they also found that voter registration was higher in voter registration centers surrounding the voter registration centers where election observers were present, suggesting that election observation simply shifts electoral irregularities from observed voter registration centers to nearby unobserved voter registration centers (Ichino 2010). In a similar natural experiment in Armenia, Hyde, somewhat in contradiction, found that the presence of IEO teams reduced electoral irregularities, although several IEO teams that participated in the experiment observed intentional electoral irregularities committed in front of them (Hyde 2007a: 62). If IEO missions were really able to deter electoral irregularities, the IEO teams should not have observed electoral irregularities committed so blatantly. The conclusion that can be drawn from Hyde's experiment therefore is that the effect of IEO on electoral irregularities is not as direct and straightforward as the theory behind IEO suggests and as is generally assumed.

## Possible Complements to IEO Missions

If professionalizing IEO is not enough to ensure effective election observation, what then can be done to complement IEO missions? This paper does not answer this question conclusively. However, it does propose three options that IEO organizations could consider: to invest even more in domestic election observation; to harness the potential of modern information and communication technology; and to mobilize the power of perceptions. These three options should not necessarily be seen as alternatives but as potential low-cost complements to IEO missions.

### Invest in Domestic Election Observation

First, IEO organizations could consider investing more in domestic election observation, even if significant resources have been invested in IEO in recent years, for example through



the NEEDS project. The importance of domestic election observation is increasingly being recognized. Domestic election observation missions are less vulnerable to criticism of partisanship, as there is less of an expectation that domestic election observation can be entirely impartial. In many countries, there is a range of domestic election observation organizations, each one with its own political affiliation. The organizations are not entirely subjugated to politics but indirectly they often represent the interests of certain political parties. But this is not always the problem it might seem because the organizations' different platforms balance each other out.

Furthermore, despite their political affiliations, many domestic election observation missions can be more accurate than some IEO missions because the costs per election observer deployed are lower, which means that they can afford to deploy many more election observers than IEO missions, even if they have less financial resources available. In some countries, domestic election observation organizations deploy more than 10,000 election observers on election days, compared with just a few hundred international election observers.

Finally, domestic election observation missions can be more effective in detecting and deterring electoral irregularities because they know what types of irregularities they should be looking for, and because they know how to publicize their findings if they observe electoral irregularities. Nevertheless, Bjornlund points out that 'bilateral and multilateral donors have sometimes made funds available for domestic election monitoring without due consideration of goals and consequences, even as they often fail to sustain support for civil society programs after transition elections' (Bjornlund 2004: 305). He argues that 'moral support is at least as important as material support, and donors and international democracy promoters should consider the longer-term implications of their programs' (Bjornlund 2004: 308-09).

## **Harness the Potential of Modern Technology**

Second, IEO organizations could explore further how modern technology, as for example crowdsourcing, could be introduced to IEO. A portmanteau of 'crowd' and 'outsourcing', crowdsourcing was first termed by Jeff Howe in his 2006 article 'The Rise of Crowdsourcing' (Howe 2006). Howe argued that 'technological advances in everything from product design software to digital video cameras are breaking down the cost barriers that once separated amateurs from professionals' and that 'industries as disparate as pharmaceuticals and television discover ways to tap the latent talent of the crowd' (Howe 2006: 3). Since then the term has become popular as shorthand for the type of mass collaboration that modern information and communication technology has made possible. Howe has since introduced the related terms of 'crowdfunding', 'crowdcreation', 'crowdvoting' and 'crowdwisdom'. The basic idea of leveraging mass collaboration has been used in many projects. Facebook, for example, used crowdsourcing to develop the different language versions of its website. VenCorps is a venture capital fund that invests on the basis of crowd-sourced decisions. Google uses crowdsourcing to update Google Maps. Local By Us is a website that provides crowd-sourced local news, events, opinions, and classifieds, and Ushahidi is a website created in the aftermath of the disputed 2007 presidential elections in Kenya which uses crowdsourcing to report and locate incidents of electoral violence.

The most famous example of crowdsourcing is probably Wikipedia. Wikipedia contains 19.9 million articles in 282 different languages all written collaboratively by Wikipedia's contributors. Nearly all articles can be edited by anyone with access. The website has an estimated 365 million readers globally, making it the sixth most popular website and the most popular encyclopedia in the world. Although some have disputed it, most agree that the information provided in Wikipedia is as accurate as the information provided in other encyclopedias. Already in 2005, Giles found that Wikipedia came close to Encyclopedia Britannica in the accuracy of its science articles and occurrence of serious errors (Giles 2005). Since then, the number of contributors to Wikipedia has increased, and it is likely that the accuracy of its articles has improved. Similarly, in 2008, Tyler Cowen, an economist and regular contributor to the New York Times, famously stated, 'If I had to guess whether Wikipedia or the median refereed journal article on economics was more likely to be true, after a not so long think I would opt for Wikipedia' (Cowen 2008).

Crowdsourcing has not yet been explored by the IEO organizations, even if the potential seems obvious. It should be possible to create a system whereby through cell phones thousands of voters provide millions of pieces of information on elections. With the information and communication technology available today, the information could easily be registered and clustered according to the type of information (for example, different types of electoral irregularities) and the location from where the piece of information was provided. There is obviously a risk that such a system would be abused and that some voters intentionally would provide wrong information to undermine the system or discredit the elections. However, this risk would be no bigger than it is for Wikipedia and could be mitigated either by creating post facto filters, as has been done in the case of Wikipedia, or by conducting ex post audits to triangulate and validate the information provided. Finally, if the number of entries, meaning the pieces of information, were large enough, the risk would be negligible. As noted, Wikipedia has been demonstrated to be as accurate as the Encyclopedia Britannica, despite the risks inherent in crowdsourcing.

### **Mobilize the Power of Perceptions**

Third, IEO organizations could explore how public perceptions can be mobilized in IEO. One initiative could be to develop an elections perceptions index, similar to the Corruption Perceptions Index (CPI) published annually by Transparency International. The CPI ranks countries according to perceptions of corruption in the public sector. It is based on data from 13 different sources produced by ten different intergovernmental and international nongovernmental organizations, including the African Development Bank, Asian Development Bank, Bertelsmann Foundation, Economist Intelligence Unit, Freedom House, Global Insights, Institute for Management Development, Political and Economic Risk Consultancy, World Economic Forum, and the World Bank. There are two types of sources: expert opinion surveys and expert country assessments. All sources, however, measure perceptions. The CPI therefore does not provide measures of the actual levels of corruption but of the perceived levels of corruption. An election perceptions index could potentially overcome some of the limitations of IEO. First, it would be less vulnerable to criticism of partiality. An election perceptions index would obviously be biased, the same way that other democracy and good governance indices, such as the Freedom House or Polity IV indices, are biased (Munck 2002). However, the bias would be embedded in the



methodology and thus more transparent and less likely to be influenced by political agendas. It would be possible to criticize an election perceptions index for measuring perceptions rather than actual levels of electoral irregularities. However, it would not be possible to criticize an election perceptions index for being inconsistent or for being influenced by political agendas. Second, an elections perception index would not be criticized for being inaccurate. The index would be accurate in measuring perceptions of election fraud; it would not be accurate in measuring actual election fraud and would not claim to be so. Third, while an elections perception index would not detect electoral irregularities, it might actually deter them more successfully than IEO missions. Assuming that incumbents care about their reputations, they would fight electoral irregularities more seriously if perceptions of their willingness to fight electoral irregularities were published.

The idea of an elections perceptions index has been suggested before. Simpser, for example, points directly to the CPI and argues that 'a similar emphasis on the democratic reputation of leaders might help to reduce the returns to incumbents from pursuing forms of manipulation that are observable but not verifiable' (Simpser 2008: 228). Similarly, Hartlyn and McCoy distinguish between assessments of the quality of elections (from the perspective of independent election observers) and assessments of the legitimacy of elections, and argue that both are important (Hartlyn 2006: 51-52).

## Conclusion

This paper has discussed the criticism raised against IEO and the way in which IEO organizations have responded by professionalizing their missions. While professionalizing IEO missions has improved election observation significantly, this paper has suggested that professionalization might not be enough to ensure effective election observation. In times with shrinking IEO budgets, IEO organizations should look for low-cost complements to the expensive IEO missions. The paper has provided three options that IEO organizations could consider: to invest even more in domestic election observation; to harness the potential of modern information and communication technology (for example, through the use of crowdsourcing); and to mobilize the power of public perceptions in election observation (for example, through the development of an elections perceptions index). At relatively low costs, such steps could contribute significantly to IEO missions specifically and to election observation generally. Again, it should be noted that this is a discussion paper, not an academic paper, and that it aims to inspire further discussion, not to present conclusive academic findings.

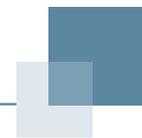
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